

WEDNESDAY, JANUARY 21, 2004

FIFTIETH LEGISLATIVE DAY

CALL TO ORDER

The Senate met at 3:00 p.m., and was called to order by Mr. Speaker Wilder.

PRAYER

The proceedings were opened with prayer by Pastor David Kitchen of Trinity First Church of God in Antioch, Tennessee, a guest of Senator Harper.

PLEDGE OF ALLEGIANCE

Senator Bryson led the Senate in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 33

Senators present were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

STANDING COMMITTEE REPORTS

STATE AND LOCAL GOVERNMENT

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Joint Resolutions Nos. 629, 630, 631, 632, 633, 634 and 635.

COHEN, Chairperson
January 20, 2004

The Speaker announced that he had referred Senate Joint Resolutions Nos. 629, 630, 631, 632, 633, 634 and 635 to Committee on Calendar.

COMMERCE, LABOR AND AGRICULTURE

MR. SPEAKER: Your Committee on Commerce, Labor and Agriculture begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 1631.

COOPER, Chairperson
January 20, 2004

The Speaker announced that he had referred Senate Bill No. 1631 to Committee on Calendar.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bill No. 2080.

PERSON, Chairperson
January 20, 2004

The Speaker announced that he had referred Senate Bill No. 2080 to Committee on Calendar.

INTRODUCTION OF BILLS

The Speaker announced that the following bills were filed for introduction and passed first consideration:

Senate Bill No. 2151 by Senator Williams.

Union County -- Subject to local approval, increases the salary of the Union County highway commissioners from \$20.00 per meeting to \$200 per month. Amends Chapter 154 of the Private Acts of 1943; as amended by Chapter 221 of the Private Acts of 1976 and any other laws amendatory thereto.

Senate Bill No. 2152 by Senator Williams.

Taxes, Privilege -- Increases maximum privilege tax on litigation in all civil and criminal cases in Jefferson County from \$10.00 to \$50.00. Amends TCA Section 67-4-601.

Senate Bill No. 2153 by Senator Williams.

Courts, Juvenile -- Authorizes juvenile court judge to request records from telecommunications service provider concerning a missing child about whom a "missing child" order has been issued by such judge and requires service provider to supply requested telephone records without charge. Amends TCA Title 37, Chapter 10, Part 2.

Senate Bill No. 2154 by Senator Burchett.

Lottery -- Redirects unclaimed prize money to compulsive gambling treatment and education; deletes after school programs special account. Amends TCA Title 4, Chapter 51.

Senate Bill No. 2155 by Senator Cohen.

Local Government, General -- Removes preemption concerning local regulation of tobacco products. Amends TCA Title 39, Chapter 17, Part 15.

Senate Bill No. 2156 by Senator Burchett.

Attorney General and Reporter -- Creates and establishes office of solicitor general by appointment of the governor; transfers to such office certain duties currently performed by attorney general and reporter. Amends TCA Title 8, Chapter 6; Title 38, Chapter 5 and Title 38, Chapter 6.

Senate Bill No. 2157 by Senator Dixon.

Education -- Extends public school testing requirements to students in non-public schools. Amends TCA Title 49, Chapter 1, Part 6; Section 49-6-3050 and Title 49, Chapter 6, Part 60.

Senate Bill No. 2158 by Senator Dixon.

Transportation, Dept. of -- Encourages commissioner to promote highway safety programs. Amends TCA Title 4; Title 7; Title 9; Title 10; Title 49; Title 50; Title 54; Title 55; Title 64; Title 65; Title 67 and Title 68.

Senate Bill No. 2159 by Senator Dixon.

Taxes, Sales -- Reduces state sales tax on food or food ingredients annually by one percent until, beginning with 2009-2010 fiscal year, retail sale of food or food ingredients for human consumption is exempt from state sales tax. Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 16; Title 30; Title 36; Title 39; Title 40; Title 45; Title 47; Title 48; Title 49; Title 50; Title 54; Title 55; Title 56; Title 57; Title 60; Title 61; Title 62; Title 67; Title 68; Title 69; Title 70 and Title 71.

Senate Bill No. 2160 by Senator Dixon.

Education, Higher -- Clarifies that semester hour includes developmental courses as well as remedial for purposes of lottery scholarships. Amends TCA Title 4 and Title 49.

Senate Bill No. 2161 by Senator Dixon.

Health Care -- Increases the penalty that can be assessed by a professional or occupational board to \$1,500 from \$1,000; increases the time period that records must be kept by home health care agencies to six years from five years. Amends TCA Title 63 and Title 68.

Senate Bill No. 2162 by Senator Dixon.

Professions and Occupations -- Creates a uniform standard format for written prescription orders issued by physicians, osteopathic physicians, optometrists, dentists and podiatrists; requires written prescription orders to be legible and comprehensible to a pharmacist; limits the liability of pharmacists for delay incurred when clarifying a prescription that the pharmacist cannot understand. Amends TCA Title 63.

Senate Bill No. 2163 by Senator Dixon.

Finance and Administration, Dept. of -- Empowers the Department of Finance and Administration to create a community health center pilot program that employs a multi-tiered funding system for local level primary health care to be provided to previously uninsured individuals; establishes guidelines and deadlines for implementation of the program. Amends TCA Title 56; Title 68 and Title 71, Chapter 5.

Senate Bill No. 2164 by Senator Dixon.

TennCare -- Implements TennCare assist by allowing participating employers to offer certain minimum wage employees TennCare health insurance in exchange for paying part of the cost of the insurance and offering optional health benefits to other workers. Amends TCA Title 71, Chapter 5.

Senate Bill No. 2165 by Senator Dixon.

Local Education Agency -- Revises procedures for notification to and review of probationary teachers. Amends TCA Title 49, Chapter 2, Part 2.

Senate Bill No. 2166 by Senator Dixon.

Local Education Agency -- Provides for same notice and hearing rights for non-licensed LEA employees as those received by licensed employees.

Senate Bill No. 2167 by Senator McNally.

Tennessee Wildlife Resources Agency -- Exempts residents of counties in which the Sundquist wildlife management area lies from paying special use fee for horseback riding, bicycling, and off-highway vehicle use. Amends TCA Title 70.

Senate Bill No. 2168 by Senator McNally.

Lottery -- Eliminates discretion of corporation to define confidentiality concerning open records and open meetings. Amends TCA Title 4, Chapter 51; Title 8, Chapter 44, Part 1 and Title 10, Chapter 7, Part 5.

Senate Bill No. 2169 by Senator McNally.

Education, Higher -- Requires legislative approval for out-of-state educational programs or ventures by the state board of regents or UT board of trustees. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2170 by Senator McNally.

Education, Higher -- Requires all higher education travel reimbursements to be made in accordance with the comprehensive state travel regulations; requires receipts for reimbursement. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2171 by Senator McNally.

Education, Higher -- Transfers internal audit from the state board of regents and the UT board of trustees to the department of audit in the office of the state comptroller; transfers all personnel, equipment, and funding. Amends TCA Title 4, Chapter 3, Part 3; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2172 by Senator McNally.

Education, Higher -- Authorizes the governor to recommend to the board of regents or the UT board of trustees the removal of respective board members for misfeasance, malfeasance, or nonfeasance. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2173 by Senator McNally.

Education, Higher -- Extends state employee "whistle blower" protections to employees of higher education; prohibits discriminatory actions against employees cooperating with higher education governing boards or audit committees. Amends TCA Section 8-50-116; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2174 by Senator McNally.

Education, Higher -- Requires state board of regents and the UT board to adopt policies on the search for, recruitment of, and employment of university presidents and other officers. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2175 by Senator McNally.

Education, Higher -- Requires state board of regents and UT board of trustees to set up internal audit system; provides for direct reporting to boards of audit findings and recommendations. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2176 by Senator McNally.

Education, Higher -- Requires quarterly reports on discretionary expenditures to appropriate boards by all higher education institution presidents. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2177 by Senator McNally.

Education, Higher -- Requires state board of regents and UT board of trustees to adopt policy governing discretionary expenditures by their presidents and officials. Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2178 by Senator McNally.

Basic Education Program (BEP) -- Requires report of the recommendations of the BEP review committee to the general assembly. Amends TCA Title 49, Chapter 1, Part 3 and Title 49, Chapter 3, Part 3.

Senate Bill No. 2179 by Senator Fowler.

Highway Signs -- Designates Department of Transportation to administer logo signs on highways. Amends TCA Title 54, Chapter 5, Part 11.

Senate Bill No. 2180 by Senator Fowler.

Public Records -- Authorizes registration of copy of writing eligible for retention as an electronic record, in lieu of original, if copy is certified by custodian of electronic record; county register may specify whether copy to be registered must be in paper or electronic form. Amends TCA Section 66-24-101.

Senate Bill No. 2181 by Senator Ford.

Medical Occupations -- Sets criteria for surgical technologists; grandfather persons performing surgical technology; imposes penalties upon health care facilities that fail to comply with act. Amends TCA Title 68.

Senate Bill No. 2182 by Senator Ford.

Medical Occupations -- Licenses surgical technologists. Amends TCA Title 4, Chapter 29 and Title 63.

Senate Bill No. 2183 by Senator Bryson.

Utilities, Utility Districts -- Increases time utility districts may invest money in funds from two years to four years. Amends TCA Title 7, Chapter 82, Part 1.

Senate Bill No. 2184 by Senator Bryson.

Municipal Government -- Increases time municipalities may invest money from two years to four years. Amends TCA Section 6-56-106.

Senate Bill No. 2185 by Senator Miller.

Fees -- Increases fee paid to county clerk for titling a motor vehicle from \$3.00 to \$5.50; increases fee for funding computerized titling and registration system from \$1.00 to \$2.00 and deletes sunset provision of such fee from June 30, 2004, to until completion of such system. Amends TCA Title 55 and Chapter 459 of the Public Acts of 1999.

Senate Bill No. 2186 by Senator Kyle.

Lottery -- Establishes regulatory framework for annual events operated for the benefit of a 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee. Amends TCA Title 38; Title 39 and Title 48.

Senate Bill No. 2187 by Senator Kyle.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of a 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

WEDNESDAY, JANUARY 21, 2004 -- 50TH LEGISLATIVE DAY

Senate Bill No. 2188 by Senator Atchley.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of the Helen Ross McNabb Foundation, a 501(c)(3) organization, pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2189 by Senator Atchley.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of the East Tennessee Public Communications Corporation and the Helen Ross McNabb Foundation, 501(c)(3) organizations, pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2190 by Senator Atchley.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of the East Tennessee Public Communications Corporation, a 501(c)(3) organization, pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2191 by Mr. Speaker Wilder.

Naming and Designating -- Provides for the erection of signs on U.S. Highway 51 proclaiming Tipton County as the "Birthplace of Isaac Hayes".

Senate Bill No. 2192 by Senator Cohen.

Business and Commerce -- Enacts the "Tennessee Motion Picture Incentive Act". Amends TCA Title 67.

Senate Bill No. 2193 by Senator Cohen.

Notary Public -- Clarifies law regarding notaries public. Amends TCA Title 8, Chapter 16 and Section 8-21-201.

Senate Bill No. 2194 by Senator Fowler.

Child Custody and Support -- Limits, under certain circumstances, retroactive parental liability for child support or medical care on behalf of a child placed in state custody if a support hearing is not conducted within a certain period following the date that the child's custody is placed with the state. Amends TCA Section 37-1-151.

Senate Bill No. 2195 by Senator Clabough.

Public Contracts -- Incrementally increases present amount of public works contracts in excess of \$100,000 for which contractor is required to post 25 percent bond by increasing amount annually based on consumer price index as published by U.S. Bureau of Labor Statistics. Amends TCA Title 12.

Senate Bill No. 2196 by Senator Clabough.

Motor Vehicles -- Establishes offense of aggressive driving for violation of certain rules of the road with the intent to injure or harass another person; punishable as Class B misdemeanor. Amends TCA Title 55, Chapter 8, Part 1.

Senate Bill No. 2197 by Senator Clabough.

Transportation, Dept. of -- Requires present report of long-range and coordinated statewide transportation plan, which is to be submitted to general assembly by Commissioner of Transportation every two years, to be submitted by February 1st of first year of each new general assembly. Amends TCA Title 4.

Senate Bill No. 2198 by Senator Clabough.

Water -- Authorizes state to exercise authority over effluents if federal government unable to perform duties due to budget shortfalls. Amends TCA Title 68 and Title 69.

Senate Bill No. 2199 by Senator Clabough.

Safety -- Increases, from 200 to 300 feet, the distance required for clear view of vehicle parked on highway outside business or residential district. Amends TCA Title 55.

Senate Bill No. 2200 by Senator Clabough.

Public Records -- Authorizes any notice required by law to be published in newspaper or at court house, to be published on radio, television or other electronic media if public interest will be served by such publication. Amends TCA Title 2; Title 4; Title 5; Title 6; Title 7; Title 9; Title 12; Title 13; Title 26; Title 39; Title 40; Title 43; Title 45; Title 47; Title 49; Title 54; Title 56; Title 59; Title 62; Title 64; Title 66; Title 67; Title 68 and Title 69.

Senate Bill No. 2201 by Senator Clabough.

Real Property -- Enacts the "Tennessee New Home Warranty Act". Amends TCA Title 66, Chapter 5.

Senate Bill No. 2202 by Senator Clabough.

Public Records -- Authorizes use of radio or television broadcasts for public notices in certain circumstances. Amends TCA Title 5; Title 6; Title 13 and Title 49.

Senate Bill No. 2203 by Senator Kurita.

Gambling -- Adds offense of aggravated gambling promotion to definition of what offenses constitute "specified unlawful activity" for purposes of "Money Laundering Act of 1996". Amends TCA Title 39, Chapter 14, Part 9.

Senate Bill No. 2204 by Senator Fowler.

Lottery -- Redefines eligible postsecondary institution that students receiving lottery scholarships may attend to include certain Tennessee schools. Amends TCA Title 49, Chapter 4, Part 9.

Senate Bill No. 2205 by Senator Miller.

Education -- Requires use of a uniform grading system in grades 9-12. Amends TCA Title 49, Chapter 1 and Title 49, Chapter 6.

Senate Bill No. 2206 by Senator McNally.

Education, Higher -- Requires lay-offs of higher education employees or abolition of positions to be conducted in accordance with applicable provisions of civil service law. Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.

Senate Bill No. 2207 by Senator McNally.

Education -- Provides for notification to parents of student subgroups not making adequate yearly progress of option to transfer their children to another school in that system. Amends TCA Section 49-1-602.

Senate Bill No. 2208 by Senator McNally.

Local Education Agency -- Allows all school board members to participate in group insurance, not just those applying before July 1, 2001. Amends TCA Section 8-27-303.

WEDNESDAY, JANUARY 21, 2004 -- 50TH LEGISLATIVE DAY

Senate Bill No. 2209 by Senator Harper.

Highways, Roads and Bridges -- Directs Department of Transportation to build a toll road from Johnson City to Nashville.

Senate Bill No. 2210 by Senator Graves.

Motor Vehicles -- Prohibits operation of sound amplification system in a motor vehicle that can be heard more than 50 feet from such vehicle. Amends TCA Title 55, Chapter 8, Part 1.

Senate Bill No. 2211 by Senator Graves.

Motor Vehicles -- Requires trailers manufactured and sold within Tennessee, or sold within Tennessee, to have stamped upon such vehicle's metal tongue or frame a unique vehicle identification number beginning January 1, 2005. Amends TCA Title 55, Chapter 5, Part 1.

Senate Bill No. 2212 by Senator Graves.

Highways, Roads and Bridges -- Creates specific offense of vandalism of roads and bridges; provides for financial incentive for reporting such vandalism. Amends TCA Title 54, Chapter 1, Part 1.

Senate Bill No. 2213 by Senator Graves.

Traffic Safety -- Requires trailers manufactured and sold within Tennessee, or sold within Tennessee, with GVWR of 3,000 lbs. or less to be equipped with new tires beginning January 1, 2005. Amends TCA Title 55, Chapter 9, Part 2.

Senate Bill No. 2214 by Senator Graves.

Child Custody and Support -- Allows obligor parent to petition for modification or termination of child support, or to have payments placed in escrow account when obligee parent violates visitation order. Amends TCA Title 36.

Senate Bill No. 2215 by Senator Cooper.

Business and Commerce -- Extends protection to business renting personal property or equipment by establishing prima facie evidence of intent to defraud business by person renting such property or equipment who fails to timely return or pay amount due for property or equipment in manner provided under contract; punishable as required by law for theft of services or property. Amends TCA Title 47, Chapter 50, Part 1 and Title 39, Chapter 14, Part 1.

Senate Bill No. 2216 by Senator Cooper.

Pensions and Retirement Benefits -- Adds retired teacher to be appointed by governor to board of trustees of TCRS. Amends TCA Section 8-34-302.

Senate Bill No. 2217 by Senator Cooper.

State Government -- Requires state departments to report to the general assembly information about federal grant funds received, including the amount and duration of the grant, the anticipated termination of the grant program, and the anticipated state appropriations needed to continue the services following termination of the grant or grant program. Amends TCA Section 4-4-113.

Senate Bill No. 2218 by Senator Cooper.

State Employees -- Extends 4 1/2 percent compensation increase, effective July 1, 2004, to state employees not under and receiving statutory salary plan compensation increase. Amends TCA Title 8, Chapter 23.

Senate Bill No. 2219 by Senator Cooper.

Industrial Development -- Gives attorney general authority to file proceeding to dissolve industrial development corporation pursuant to § 48-24-301 if corporation fails to file certificate of incorporation and receive approval from secretary of state in accordance with law. Amends TCA Title 7, Chapter 53.

Senate Bill No. 2220 by Senator Cooper.

Taxes, Real Property -- Requires grantor or lessor, as well as grantee or lessee, of tax exempt property to promptly report to assessor any change in use or ownership of property which might affect its exempt status. Amends TCA Title 67.

Senate Bill No. 2221 by Senator Cooper.

Ethics -- Makes it a Class E felony for certain local public officials or their family members to purchase property from an industrial development corporation formed within jurisdiction of the governmental entity to which such official is elected and for such industrial development corporation to sell property to such persons. Amends TCA Title 7, Chapter 53.

Senate Bill No. 2222 by Senator Fowler.

Real Property -- Allows a lien to be created on real property owned by a person who received federal benefits for which the state is entitled to a recovery of those benefits; establishes procedures for recording the liens and releases of liens with the Department of Finance and Administration, division of real property, and for posting information about the liens on a Web site. Amends TCA Title 66.

Senate Bill No. 2223 by Senator Fowler.

Public Contracts -- Adds Hamilton County to current list of counties eligible for a pilot program to reimburse licensed residential homes for the aged if such pilot program is established by the board for licensing health care facilities. Amends TCA Section 12-4-320.

Senate Bill No. 2224 by Senator Fowler.

Notary Public -- Requires stamp used to imprint seal of office to be primary, secondary or tertiary color other than yellow or black, and to be clearly legible and appear as black when photocopied. Amends TCA Title 8, Chapter 16.

Senate Bill No. 2225 by Senator McLeary.

Remedies and Special Proceedings -- Prohibits a court from staying garnishment of a judgment debtor's wages in a forcible entry and detainer action unless the judgment debtor and the judgment creditor have entered into a written agreement for the payment of the judgment in installments. Amends TCA Section 29-18-125.

Senate Bill No. 2226 by Senator McLeary.

University of Tennessee -- Renames the University of Tennessee agricultural extension service to be the "University of Tennessee extension". Amends TCA Sections 8-23-206, 8-36-118, 43-1-112, 43-1-602, 43-14-101, 43-14-218, 43-14-304, 43-14-305, 43-14-308, 49-50-104, 49-50-107, 49-50-108, 64-10-103, 69-3-132.

Senate Bill No. 2227 by Senator Trail.

Loan Companies and Short Term Lenders -- Increases license fee and renewal from \$500 to \$750 for persons making mortgage loans. Amends TCA Title 45.

Senate Bill No. 2228 by Senator Trail.

Game and Fish Laws -- Increases criminal penalty for hunting or shooting from a public road or shooting firearm across or on any public road from Class C misdemeanor to Class A misdemeanor. Amends TCA Section 70-4-108.

Senate Bill No. 2229 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2230 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2231 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2232 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2233 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2234 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2235 by Senator Trail.

Lottery -- Authorizes annual event in calendar year 2004 for purpose of raising money for benefit of 501(c)(3) organization pursuant to Article XI, Section 5 of the Constitution of Tennessee.

Senate Bill No. 2236 by Senator Kurita.

Hospitals and Health Care Facilities -- Requires home care organizations that initiate hospice services after effective date of the act to obtain a certificate of need for such services. Amends TCA Title 68, Chapter 11.

Senate Bill No. 2237 by Senator Bryson.

Lottery -- Requires corporation to include responsible gaming message in all television and radio advertising. Amends TCA Title 4, Chapter 51, Part 1.

Senate Bill No. 2238 by Senator Fowler.

Medical Occupations -- Gives registered nurse employed by program for all-inclusive care for the elderly (PACE) same authority to sign death certificate of patient of PACE who dies as registered nurse has under present law for patient of licensed home care organization who dies. Amends TCA Section 68-3-511.

Senate Bill No. 2239 by Senator Fowler.

Sentencing -- Authorizes judge to enhance sentence within appropriate range for drug violation involving methamphetamine if during the preparation or commission of offense, damage to a

structure by means of fire or explosion resulted. Amends TCA Title 39, Chapter 14, Part 3 and Title 39, Chapter 17, Part 4.

Senate Bill No. 2240 by Senator Fowler.

Special License Plates -- Authorizes issuance of "MAKUS Buckle Up! Drive Safely!" new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to MAKUS (Michael Appleby Keeping Us Safe) Buckle Up Program for teenage drivers. Amends TCA Title 55, Chapter 4.

Senate Bill No. 2241 by Senator Trail.

Tennessee Bureau of Investigation -- Permits the TBI to use the \$50.00 fee collected for expunction of criminal records for the support and maintenance of the TBI information systems division as well as for the expunged criminal offender and pretrial diversion database. Amends TCA Section 38-6-118.

Senate Bill No. 2242 by Senator McLeary.

Teachers, Principals and School Personnel -- Allows person chosen as TEA president to have leave during term of office. Amends TCA Title 49, Chapter 5, Part 7.

Senate Bill No. 2243 by Senator McLeary.

Taxes, Income -- Provides seed capital qualified investment tax credit. Amends TCA Title 67, Chapter 2 and Title 67, Chapter 4.

Senate Bill No. 2244 by Senator Fowler.

Consumer Protection -- Creates new violation of Consumer Protection Act for representations as licensed contractor when person is not a licensed contractor and imposes personal liability upon individuals who make such representations on behalf of a corporation. Amends TCA Title 47, Chapter 18 and Title 62, Chapter 6.

Senate Bill No. 2245 by Senator Cohen.

Criminal Offenses -- Broadens and clarifies definitions relating to use of a counterfeit mark or logo; allows inference that person possessing more than 10 items, rather than current 25 items, bearing a counterfeit mark possesses with the intent to sell or distribute; deletes fine only provision from certain offenses. Amends TCA Section 39-14-152.

Senate Bill No. 2246 by Senator Cohen.

Courts, Administrative Office of the -- Requires administrative office of the courts to create and maintain registry of persons credentialed as court interpreter of spoken foreign languages and to post such registry on its Web site. Amends TCA Title 16.

Senate Bill No. 2247 by Senator Jackson.

Unemployment Compensation -- Requires Department of Labor and Workforce Development to collect information on whether employers offer insurance to employees on quarterly wage reports for the unemployment program. Amends TCA Title 50; Title 56; Title 68 and Title 71.

Senate Bill No. 2248 by Senator Fowler.

Lottery -- Broadens eligible high school and resident requirements for lottery scholarships. Amends TCA Title 49, Chapter 4, Part 9.

Senate Bill No. 2249 by Senator Fowler.

Financial Disclosure -- Allows filing of financial disclosure statements with appropriate authority by facsimile transmission. Amends TCA Title 8, Chapter 50, Part 5.

Senate Bill No. 2250 by Senator Crowe.

Highway Signs -- Historic Jonesborough, Tennessee's Oldest Town, I-26 at Exits 18 and 38 and I-81 at Exits 23 and 57.

Senate Bill No. 2251 by Senator Crowe.

County Officers -- Allows constables to be reimbursed for their actual expenses when they are activated to serve by a local government or the state. Amends TCA Title 8, Chapter 10, Part 1.

Senate Bill No. 2252 by Senator Cohen.

Salaries and Benefits -- Prohibits air fare reimbursement in excess of standard coach fare for any official, officer, or employee of the State of Tennessee, or the state board of regents, the UT board of trustees, or their institutions. Amends TCA Title 8, Chapter 26 and Title 49, Chapter 7.

Senate Bill No. 2253 by Senator Cohen.

Campaigns and Campaign Finance -- Prohibits candidate for local office transferring funds from such candidate's local campaign fund to such candidate's campaign fund for general assembly or governor. Amends TCA Section 2-10-114.

SENATE BILLS ON SECOND CONSIDERATION

The Speaker announced that the following bills passed second consideration and were referred to the appropriate committee:

Senate Bill No. 2086 held on desk.

Senate Bill No. 2087 held on desk.

Senate Bill No. 2088 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2089 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2090 referred to Committee on Education.

Senate Bill No. 2091 referred to Committee on State and Local Government.

Senate Bill No. 2092 referred to Committee on State and Local Government.

Senate Bill No. 2093 referred to Committee on State and Local Government.

Senate Bill No. 2094 referred to Committee on State and Local Government.

Senate Bill No. 2095 referred to Committee on State and Local Government.

Senate Bill No. 2096 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2097 referred to Committee on Judiciary.

Senate Bill No. 2098 referred to Committee on Education.

Senate Bill No. 2099 referred to Committee on Commerce, Labor and Agriculture.

Senate Bill No. 2100 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 2101 referred to Committee on Education.

Senate Bill No. 2102 referred to Committee on State and Local Government.

Senate Bill No. 2103 referred to Committee on Education.

Senate Bill No. 2104 referred to Committee on State and Local Government.

Senate Bill No. 2105 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2106 referred to Committee on Transportation.

Senate Bill No. 2107 referred to Committee on Transportation.

Senate Bill No. 2108 referred to Committee on Transportation.

Senate Bill No. 2109 referred to Committee on State and Local Government.

Senate Bill No. 2110 referred to Committee on Government Operations.

Senate Bill No. 2111 referred to Committee on Government Operations.

Senate Bill No. 2112 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 2113 referred to Committee on Transportation.

Senate Bill No. 2114 referred to Committee on Education.

Senate Bill No. 2115 referred to Committee on State and Local Government.

Senate Bill No. 2116 referred to Committee on State and Local Government.

Senate Bill No. 2117 referred to Committee on Education.

Senate Bill No. 2118 referred to Committee on State and Local Government.

Senate Bill No. 2119 referred to Committee on State and Local Government.

Senate Bill No. 2120 referred to Committee on Education.

Senate Bill No. 2121 referred to Committee on Judiciary.

Senate Bill No. 2122 referred to Committee on Education.

Senate Bill No. 2123 referred to Committee on Judiciary.

Senate Bill No. 2124 referred to Committee on State and Local Government.

Senate Bill No. 2125 referred to Committee on Transportation.

Senate Bill No. 2126 referred to Committee on Education.

Senate Bill No. 2127 referred to Committee on Judiciary.

Senate Bill No. 2128 referred to Committee on Judiciary.

Senate Bill No. 2129 referred to Committee on State and Local Government.

Senate Bill No. 2130 referred to Committee on State and Local Government.

Senate Bill No. 2131 referred to Committee on Education.

Senate Bill No. 2132 referred to Committee on Education.

Senate Bill No. 2133 referred to Committee on Education.

Senate Bill No. 2134 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 2135 referred to Committee on State and Local Government.

Senate Bill No. 2136 referred to Committee on Environment, Conservation and Tourism.

Senate Bill No. 2137 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2138 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 2139 referred to Committee on Transportation.

Senate Bill No. 2140 referred to Committee on Transportation.

Senate Bill No. 2141 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2142 referred to Committee on Judiciary.

Senate Bill No. 2143 referred to Committee on Judiciary.

Senate Bill No. 2144 held on desk.

Senate Bill No. 2145 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2146 referred to Committee on Finance, Ways and Means.

Senate Bill No. 2147 referred to Committee on State and Local Government.

Senate Bill No. 2148 referred to Committee on State and Local Government.

Senate Bill No. 2149 referred to Committee on General Welfare, Health and Human Resources.

Senate Bill No. 2150 referred to Committee on Commerce, Labor and Agriculture.

The Speaker announced that he had referred a copy of **Senate Bill No. 2089** to the Council on Pensions and Insurance.

INTRODUCTION OF RESOLUTIONS

The Speaker announced that the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

Senate Joint Resolution No. 669 by Senator Dixon.

General Assembly, Directed Studies -- Directs select oversight committee on corrections to study the need to create geriatric prisons.

Senate Joint Resolution No. 670 by Senator Dixon.

General Assembly, Studies -- Creates joint study committee to study competitive pay of state employees in comparison to private sector in Tennessee and in other states.

Senate Joint Resolution No. 671 by Senator Dixon.

General Assembly, Studies -- Creates Fee Schedule Study Commission.

Senate Joint Resolution No. 672 by Mr. Speaker Wilder.

Memorials, Retirement -- Senator Ben Atchley.

Senate Joint Resolution No. 673 by Senator Cohen.

Memorials, Death -- Sam Phillips.

Senate Joint Resolution No. 674 by Senator Crowe.

Memorials, Death -- Dr. Hubert "Booney" Vance, Jr.

Senate Joint Resolution No. 675 by Senator Graves.

Memorials, Professional Achievement -- Addie Brewer, Caregiver of the Year.

Senate Joint Resolution No. 676 by Senator McLeary.

Memorials, Sports -- Cliff Goodrich, 2003 PRCA Southeastern and U.S. Tobacco Calf Roping Champion.

Senate Joint Resolution No. 677 by Senator Trail.

Memorials, Professional Achievement -- Judge Don Ash.

Senate Joint Resolution No. 678 by Senator Trail.

Memorials, Death -- Lee Victory.

Senate Joint Resolution No. 679 by Senator Trail.

Memorials, Professional Achievement -- Bill Whitesell.

Senate Joint Resolution No. 680 by Senator Trail.
Memorials, Retirement -- Marie Parks.

Senate Joint Resolution No. 681 by Senator Trail.
Memorials, Death -- Abraham Manuel, Sr.

Senate Joint Resolution No. 682 by Senator Trail.
Memorials, Death -- Chancellor Ty Cobb.

Senate Joint Resolution No. 683 by Senator Cohen.
Naming and Designating -- Spay Day Tennessee.

RESOLUTIONS LYING OVER

House Joint Resolution No. 743 -- Memorials, Death -- John DeLozier Widner.

The Speaker announced that he had referred House Joint Resolution No. 743 to Committee on Calendar.

House Joint Resolution No. 744 -- Memorials, Death -- Elmer Mize.

The Speaker announced that he had referred House Joint Resolution No. 744 to Committee on Calendar.

House Joint Resolution No. 745 -- Memorials, Retirement -- Jack Piepenbring.

The Speaker announced that he had referred House Joint Resolution No. 745 to Committee on Calendar.

House Joint Resolution No. 746 -- Memorials, Professional Achievement -- Joe Elliot, President of American Angus Association.

The Speaker announced that he had referred House Joint Resolution No. 746 to Committee on Calendar.

Senate Joint Resolution No. 647 -- Memorials, Retirement -- Larry Wallace.

The Speaker announced that he had referred Senate Joint Resolution No. 647 to Committee on Calendar.

Senate Joint Resolution No. 648 -- Memorials, Death -- Leslie R. Hobbs.

The Speaker announced that he had referred Senate Joint Resolution No. 648 to Committee on Calendar.

Senate Joint Resolution No. 649 -- Memorials, Public Service -- Steve Adams.

The Speaker announced that he had referred Senate Joint Resolution No. 649 to Committee on Calendar.

WEDNESDAY, JANUARY 21, 2004 -- 50TH LEGISLATIVE DAY

Senate Joint Resolution No. 650 -- Memorials, Professional Achievement -- George Vibbert, President of American City Bank of Tullahoma.

The Speaker announced that he had referred Senate Joint Resolution No. 650 to Committee on Calendar.

Senate Joint Resolution No. 651 -- Memorials, Retirement -- Joe Patton.

The Speaker announced that he had referred Senate Joint Resolution No. 651 to Committee on Calendar.

Senate Joint Resolution No. 652 -- Memorials, Death -- Asok Banerjee.

The Speaker announced that he had referred Senate Joint Resolution No. 652 to Committee on Calendar.

Senate Joint Resolution No. 653 -- Memorials, Professional Achievement -- Elizabeth C. Mansfield, 2003 Carnegie/CASE Tennessee Professor of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 653 to Committee on Calendar.

Senate Joint Resolution No. 654 -- Memorials, Recognition -- Sam Cordell.

The Speaker announced that he had referred Senate Joint Resolution No. 654 to Committee on Calendar.

Senate Joint Resolution No. 655 -- Memorials, Professional Achievement -- Edward Porter, recipient of America Nursery and Landscape Association Hall of Fame Award.

The Speaker announced that he had referred Senate Joint Resolution No. 655 to Committee on Calendar.

Senate Joint Resolution No. 656 -- Memorials, Death -- Former Adjutant General Carl Wallace.

The Speaker announced that he had referred Senate Joint Resolution No. 656 to Committee on Calendar.

Senate Joint Resolution No. 657 -- Memorials, Recognition -- Cherokee Wolf Clan.

The Speaker announced that he had referred Senate Joint Resolution No. 657 to Committee on Calendar.

Senate Joint Resolution No. 658 -- Memorials, Sports -- Huntingdon Xplosion 12-and-Under All-Star softball team.

The Speaker announced that he had referred Senate Joint Resolution No. 658 to Committee on Calendar.

Senate Joint Resolution No. 659 -- Memorials, Recognition -- Page High School Patriot Chess Team.

The Speaker announced that he had referred Senate Joint Resolution No. 659 to Committee on Calendar.

Senate Joint Resolution No. 660 -- Memorials, Sports -- Huntingdon High School Mustangs, 2003 TSSAA Division 1, Class 2A Champions.

The Speaker announced that he had referred Senate Joint Resolution No. 660 to Committee on Calendar.

Senate Joint Resolution No. 661 -- Memorials, Retirement -- Larry Wallace.

The Speaker announced that he had referred Senate Joint Resolution No. 661 to Committee on Calendar.

Senate Joint Resolution No. 662 -- Memorials, Death -- First Lieutenant David R. Bernstein.

The Speaker announced that he had referred Senate Joint Resolution No. 662 to Committee on Calendar.

Senate Joint Resolution No. 663 -- Memorials, Professional Achievement -- Betty Allen, Middle School Counselor of the Year.

The Speaker announced that he had referred Senate Joint Resolution No. 663 to Committee on Calendar.

Senate Joint Resolution No. 664 -- Memorials, Recognition -- The Jason Foundation.

The Speaker announced that he had referred Senate Joint Resolution No. 664 to Committee on Calendar.

Senate Joint Resolution No. 665 -- Memorials, Death -- J.B. Shockley.

The Speaker announced that he had referred Senate Joint Resolution No. 665 to Committee on Calendar.

Senate Joint Resolution No. 666 -- Memorials, Recognition -- Thomas B. Ballard.

The Speaker announced that he had referred Senate Joint Resolution No. 666 to Committee on Calendar.

Senate Joint Resolution No. 667 -- Memorials, Recognition -- Stan Brock.

The Speaker announced that he had referred Senate Joint Resolution No. 667 to Committee on Calendar.

LOCAL BILL
CONSENT CALENDAR

Senate Bill No. 2074 -- Coffee County -- Subject to local approval, imposes additional privilege tax on the privilege of a consumer attending a large event.

Senator Crowe moved that **Senate Bill No. 2074** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 33
Noes 0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

CONSENT CALENDAR

Objections having been raised, the following resolution was placed at the heel of the calendar for Thursday, January 22, 2004, pursuant to Rule 38: **House Joint Resolution No. 728**.

House Joint Resolution No. 638 -- Naming and Designating -- Tennessee National Guard Armory in Lebanon for Major General Carl D. Wallace.

House Joint Resolution No. 729 -- Memorials, Recognition -- Jon Coppinger.

House Joint Resolution No. 730 -- Memorials, Professional Achievement -- Kenneth D. Higgins, Mel Bedwell Small Businessperson of the Year.

House Joint Resolution No. 731 -- Memorials, Recognition -- Tullahoma Fine Arts Center.

House Joint Resolution No. 741 -- Memorials, Public Service -- Elvyn Verone Davidson, M.D.

House Joint Resolution No. 742 -- Memorials, Recognition -- Janell Howard, Miss Jefferson County Fairest of the Fair.

Senate Joint Resolution No. 625 -- Memorials, Death -- John Sam Ridley, Sr.

Senate Joint Resolution No. 626 -- Memorials, Retirement -- Billy Lee Jones.

Senate Joint Resolution No. 627 -- Memorials, Professional Achievement -- Dr. Bob and Elizabeth Womack.

Senate Joint Resolution No. 628 -- Memorials, Death -- William F. Moynihan.

Senate Joint Resolution No. 637 -- Memorials, Congratulations -- Mary Ellen Trimble, Mrs. Democrat.

Senate Joint Resolution No. 638 -- Memorials, Public Service -- J. Stanley Rogers.

Senate Joint Resolution No. 639 -- Memorials, Death -- James W. Dempster.

Senate Joint Resolution No. 640 -- Memorials, Death -- Ron Martin.

Senate Joint Resolution No. 641 -- Memorials, Death -- Harris C. Jacobs, Jr.

Senate Joint Resolution No. 643 -- Memorials, Death -- James Leslie Henegar.

Senate Joint Resolution No. 644 -- Memorials, Professional Achievement -- Barry K. Thacker, 2003 Hoover Medal award winner.

Senate Joint Resolution No. 645 -- Memorials, Death -- William D. Manly.

Senate Joint Resolution No. 646 -- Memorials, Personal Occasion -- James Robert "J.R." Schuler, birth.

Senator Crowe moved that all Senate Joint Resolutions be adopted and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	33
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cohen, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron, Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--33.

A motion to reconsider was tabled.

MOTION

Senator Harper moved that the rules be suspended for the immediate introduction and consideration of **Senate Joint Resolution No. 690**, out of order, which motion prevailed.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution No. 690 by Senator Harper.
Memorials, Retirement -- Ann Chapman.

On motion of Senator Harper, the rules were suspended for the immediate consideration of the resolution.

On motion, **Senate Joint Resolution No. 690** was adopted by the following vote:

Ayes	32
Noes	0

Senators voting aye were: Atchley, Beavers, Bryson, Burchett, Burks, Clabough, Cooper, Crowe, Crutchfield, Dixon, Ford, Fowler, Graves, Harper, Haynes, Henry, Herron, Jackson, Ketron,

WEDNESDAY, JANUARY 21, 2004 -- 50TH LEGISLATIVE DAY

Kilby, Kurita, Kyle, McLeary, McNally, Miller, Norris, Person, Ramsey, Southerland, Trail, Williams and Mr. Speaker Wilder--32.

A motion to reconsider was tabled.

RECALL OF BILL

On motion of Senator Kurita, **Senate Bill No. 2054** was recalled from the Committee on Judiciary.

WITHDRAWAL OF BILL

On motion of Senator Kurita, **Senate Bill No. 2054** was withdrawn from the Senate.

RECALL OF BILL

On motion of Senator McLeary, **Senate Joint Resolution No. 657** was recalled from the Committee on Calendar.

WITHDRAWAL OF BILL

On motion of Senator McLeary, **Senate Joint Resolution No. 657** was withdrawn from the Senate.

MOTION

On motion, all Senators' names were added as sponsors of **Senate Joint Resolutions Nos. 626, 627 and 638; and House Joint Resolutions Nos. 638 and 728.**

On motion of Senator Miller, his name was added as sponsor of **House Joint Resolutions Nos. 729 and 730.**

On motion of Senators Haynes and Henry, their names were added as sponsors of **Senate Joint Resolution No. 690.**

On motion of Senators Cohen, Cooper and Beavers, their names were added as sponsors of **House Joint Resolution No. 638.**

On motion of Senator Kilby, his name was added as sponsor of **Senate Bill No. 2344.**

On motion of Senator Graves, her name was added as prime sponsor of **Senate Bill No. 2270.**

On motion of Senator Cooper, his name was added as sponsor of **House Joint Resolution No. 731 and Senate Joint Resolution No. 625.**

On motion of Senator Kyle, his name was added as sponsor of **Senate Joint Resolutions Nos. 625 and 628.**

On motion of Senator Williams, his name was added as sponsor of **House Joint Resolution No. 742; and Senate Joint Resolutions Nos. 644 and 645.**

On motion of Senator Harper, her name was added as sponsor of **Senate Joint Resolutions Nos. 628 and 637.**

On motion of Senator Trail, his name was added as sponsor of **House Joint Resolution No. 731 and Senate Joint Resolution No. 625.**

ENGROSSED BILLS

January 21, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined Senate Bill No. 2074; and Senate Joint Resolutions Nos. 625, 626, 627, 628, 637, 638, 639, 640, 641, 643, 644, 645, 646 and 690; and find same correctly engrossed and ready for transmission to the House.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE HOUSE

January 21, 2004

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766 and 767; adopted, for the Senate's action.

BURNEY T. DURHAM,
Chief Clerk.

MESSAGE FROM THE HOUSE

January 20, 2004

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 2049, signed by the Speaker.

BURNEY T. DURHAM,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

January 16, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 623 and 624, for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

January 20, 2004

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bill No. 2049, for his action.

PATRICK W. MERKEL,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

January 21, 2004

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 623 and 624, with his approval.

ROBERT E. COOPER, JR.,
Counsel to the Governor.

**REPORT OF COMMITTEE ON CALENDAR
CONSENT CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Thursday, January 22, 2004: House Joint Resolutions Nos. 743, 744, 745 and 746; and Senate Joint Resolutions Nos. 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 658, 659, 660, 662, 663, 664, 665, 666 and 667.

This the 20th day of January, 2004.
CROWE, Chairperson.

**REPORT OF COMMITTEE ON CALENDAR
LOCAL BILL
CONSENT CALENDAR**

Pursuant to Rule 26, the following bills have been set on the Consent Calendar for Thursday, January 22, 2004: Senate Bills Nos. 2011 and 2087.

SENATE JOINT RESOLUTION NO. 646

By Curtis S. Person, Jr.

A RESOLUTION to congratulate Patrick Michael Schuler and Davis Wynne Schuler on the birth of their son, James Robert "J.R." Schuler.

WHEREAS, on August 30, 2003, James Robert "J.R." Schuler entered into this world, and immediately claimed the fair city of Cordova, Tennessee as his home; and

WHEREAS, although he shares his name with a famous fictional Texan, the young Master Schuler is not quite yet ready to don a ten-gallon Stetson and cowboy boots, instead preferring the great comfort and simple elegance of diapers and baby blue booties; and

WHEREAS, this wonderful new arrival brings joy and excitement to the hearts of friends and relatives alike, but particularly Mom and Dad; and

WHEREAS, Patrick Michael Schuler and Davis Wynne Schuler, coincidentally, also from Cordova, Tennessee, are the justifiably proud parents of J.R.; and

WHEREAS, J.R. Schuler has the great honor of bearing the names of his grandfathers, the late James David Schuler (1930-1994) and the late Robert Wynne (1935-1995); and

WEDNESDAY, JANUARY 21, 2004 -- 50TH LEGISLATIVE DAY

WHEREAS, big sister Kirkland Davis Schuler, age six, is ecstatic to finally have a baby brother and playmate with whom to share life's many delights and discoveries; and

WHEREAS, although this long awaited arrival had been greatly anticipated and much heralded by family, friends and indeed, the entire greater Memphis community, J.R. still managed to make quite a vibrant entry into this world as an extremely vocal bouncing baby boy; and

WHEREAS, this legislative body finds it appropriate to join Patrick Michael Schuler and Davis Wynne Schuler in the celebration of the merry event of acquiring a second income tax deduction; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we hereby honor and congratulate Patrick Michael Schuler and Davis Wynne Schuler on the birth of their most handsome and intelligent son, The Right Honorable, Master James Robert "J.R." Schuler, and wish them much continued success and happiness as they further explore the joys of parenthood.

BE IT FURTHER RESOLVED, that the Chief Clerk of the Senate is directed to spread the text of this resolution upon the Senate Journal.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.

ADJOURNMENT

Senator Crutchfield moved the Senate adjourn until 9:00 a.m., Thursday, January 22, 2004, which motion prevailed.